REMARKS

Upon entry of the instant amendment, claims 1-15 are pending. Claims 1, 5, and 11 have been amended to more particularly point out Applicant's invention. Claim 2 has been amended to overcome the Section 112 rejection.

Claim 2 was rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claim 2 has been amended to correct a typographical error. As such, the Examiner is respectfully requested to reconsider and withdraw the rejection.

Claim 1 has been rejected under 35 U.S.C. 102(*b*) as being anticipated by Berman, U.S. Patent No. 65,754,831 ("Berman"). In order for there to be anticipation, each and every element of the claimed invention must be present in a single prior reference. Applicants respectfully submit that the claimed invention is not taught, suggested, or implied by Berman.

As described in the Specification, one aspect of the present invention relates to a system for modeling real time systems that includes a plurality of modules for modeling components of a system. Each module represents a single component of the system or other systems that compete for system resources. In one embodiment, each module is defined by an XML-based script. The scripts describe the communication, load and delay behavior of the modules. Using the script, a module can originate, receive or forward messages, while introducing specified load and delay. Furthermore, the scripts can also include instructions to log the messages that contain the history of delays introduced at different modules.

Thus, claim 1 has been amended to recite "defining one or more system components as corresponding distributed modules using a module definition language." In contrast, as acknowledged in the Official Action, Berman does not provide for distributed modules. (As will be discussed in greater detail below, the combination of Berman and other cited reference(s) likewise does not teach, suggest, or imply such features). Furthermore, Applicant respectfully disagrees that the definition language

can reasonably be construed as "any text, script, program, etc., which can be utilized in order to simulate, emulate, or model a particular element." As defined in the Specification, the Module Definition Language (MDL) of embodiments of the present invention is, for example, an XML based language that defines a set of elements and attributes for definition the behavior of the module. The behavior of the module is defined using a Module Definition Language (MDL) in an MDL file. Berman does not provide for such a module definition language. As such, the Examiner is respectfully requested to reconsider and withdraw the rejection.

Claims 3 and 4 were rejected under 35 U.S.C. 103(a) as being unpatentable over Berman. As discussed above, however, Berman does not provide for, inter alia, defining one or more system components as corresponding distributed modules using a module definition language. As such, the Examiner is respectfully requested to reconsider and withdraw the rejection

Claims 2 and 5-15 were rejected under 35 U.S.C. 103(a) as being unpatentable over Berman in view of Takahashi et al., U.S. Patent No. 7,031,895 ("Takahashi"). Applicant respectfully submits that the claimed invention is not taught, suggested, or implied by Berman or Takahashi, either singly or in combination. Claim 5 has been amended to recite "said modeling system adapted to be distributed among said one or more network devices using modules defining real-time system components;" and claim 11 has been amended to recite "said modeling system defining modules adapted to be distributed among said one or more network devices, said modeling system including an XML-based modeling language for defining said modules, each including models of one or more system components."

As acknowledged in the Official Action, Berman does not provide "that the defining steps are implemented on a plurality of platforms." Instead, Takahashi is relied on for allegedly teaching "defining functions are implemented on a plurality of systems." However, the system of Takahashi simply provides that a model management device can communicate a plurality of network models. Takahashi does not provide that modules modeling real-time devices can be distributed, as generally recited in the

claims at issue. Instead, Takahashi merely appears to reproduce its modeling system multiple times (i.e., one for each network). The present invention, however, provides distributed modeling. Finally, applicants respectfully disagree that the recited XML-based modeling language is well-known or that its use in the recited system is obvious. However, even if this were the case, its combination with the recited art does not teach, suggest, or imply the invention of the claims at issue. As such, the Examiner is respectfully requested to reconsider and withdraw the rejection.

For all of the above reasons, Applicant respectfully submit that the application is in condition for allowance, which allowance is earnestly solicited.

Date: 25 Sept 07

Respectfully submitted,

By: _____

SIEMENS CORPORATION
Customer Number: 28524
Intellectual Property Department
170 Wood Avenue South
Iselin, New Jersey 08830

David D. Chung
Registration No. 38,409
Attorney for Applicants
Direct Dial: 408-492-5336
Dept. Fax: 408-492-3122